

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 04/13/17

----- X  
UNITED STATES OF AMERICA,

Plaintiff,

-against-

FABIO PORFIRIO LOBO, et al.,

Defendants. :  
----- X

15 Cr. 174 (LGS)

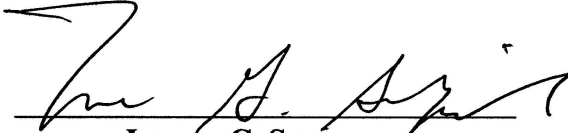
**ORDER**

LORNA G. SCHOFIELD, District Judge:

It is hereby **ORDERED** that Defendant Fabio Porfirio Lobo's April 3, 2017, request to compel production of documents and other information that Defendant claims is discoverable pursuant to *Brady*'s request is DENIED in light of the Government's prior disclosures, *see United States v. Paulino*, 445 F.3d 211, 225 (2d Cir. 2006) ("[E]vidence is not considered to have been suppressed within the meaning of the Brady doctrine if the defendant or his attorney either knew, or should have known, of the essential facts permitting him to take advantage of that evidence."), and its representation that it is aware of its obligations under *Brady* and *Giglio* and will remain in compliance with those obligations in the future. It is further

**ORDERED** that the Court reserves decision on the Government's April 3, 2017, request for a *Curcio* hearing subject to receiving further information. By April 21, 2017, the Government shall further specify the nature of an actual or potential conflict under governing law. *See, e.g., United States v. Cain*, 671 F.3d 271, 293 (2d Cir. 2012). Any further opposition to the Government's request shall be submitted by April 28, 2017.

Dated: April 13, 2017  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE